

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

LEN STOLER, INC. d/b/a LEN STOLER
AUDI,

Plaintiff,

v.

VOLKSWAGEN GROUP OF AMERICA, INC.
d/b/a AUDI OF AMERICA, INC.,

Defendant.

Case No. 1:15CV1659-TSE/JFA

PLAINTIFFS' AMENDED TRIAL EXHIBIT LIST

Pl. Ex.#	Date	Description	Bates Number	STIP.	OFFERED	OBJECT.	ADMITTED
1.	2/25/2003	Stoler Audi Dealer Agreement	AoA0000083-90				
2.	2007	Audi Dealer Agreement Standard Provisions	STOLER004256-80				
3.	9/21/2011	Audi memo to Dealer Principals, General Managers re Grandfather Policy + Cure Policy	AoA0000140-41				
4.	12/31/2013	Audi 2013 Performance Bonus Program	AoA0002033, 2038, 2042, 2046				
5.	12/31/2013	Len Stoler Audi US 2013 Dealer Financial Statement					
6.	12/31/2013	Maryland Audi Dealers US 2013 Dealer Financial Statement					
7.	1/1/2014	Audi of America Audi Architecture + Retail Capacity Guide	AoA0000091-139				
8.	1/10/2014	Hamilton letter to L. Stoler re 2016 Facility	AoA0000156				

Pl. Ex.#	Date	Description	Bates Number	STIP.	OFFERED	OBJECT.	ADMITTED
		Classification Requirement					
9.	2/19/2014	Pellock email to Whitlock et al re Stoler Audi	STOLER000333-39				
10.	4/1/2014	Audi Design Services Enrollment Form					
11.	4/25/2014	Hamilton letter to L. Stoler	AoA0000167				
12.	5/28/2014	Capacity Planning Form	STOLER000309-11				
13.	7/24/2014	Chelline email to Leibowitz re Draft LOI	STOLER003473-91				
14.	8/13/2014	Roger email to Leibowitz re Former GM Property	STOLER003460-63				
15.	8/21/2014	Morris email to Leibowitz re LOI	STOLER003455-59				
16.	9/8/2014	Leibowitz email to Morris re Pro Forma 090814.xlsx	STOLER000493-94				
17.	9/9/2014	Leibowitz email to Morris re Stoler	STOLER002486-87				
18.	9/11/2014	Del Rosso and Meyer letter to L. Stoler re Retail Sales Effectiveness	AoA0000208-13				
19.	10/3/2014	Leibowitz email to Goldman re 1st Qtr Rebate Payment Rec'd from Audi	STOLER002467-76				
20.	10/16/2014	Hamilton letter to L. Stoler and B. Stoler re Grandfather Policy + Cure Policy					
21.	10/22/2014	Pellock email to Hamilton re Stoler 10550 Reisterstown Road	AoA0000626-28				
22.	10/29/2014	Leibowitz email to ewagonheim@wagonheim.com re 10550 Reisterstown Road	STOLER004287-336				
23.	11/25/2014	Stoler email to Campagna re Terminal Rendering	STOLER000066-75				

Pl. Ex.#	Date	Description	Bates Number	STIP.	OFFERED	OBJECT.	ADMITTED
24.	12/4/2014	Stoler email to Brown re Audi Owings Mills - Site Information Request	STOLER000938-42				
25.	12/12/2014	Ritsema email to McRory re Len Stoler Audi	AoA0000770-71				
26.	12/12/2014	Matthews email to Balmer et al re A6 & A8 Performance Bonus tracking - 12/10/14	AoA0000755-59				
27.	12/31/2014	Len Stoler Inc Audi US 2014 Dealer Financial Statement	AoA0000461				
28.	12/31/2014	Len Stoler Audi - Audi US 2014 Dealer Financial Statement	STOLER002237-45				
29.	12/31/2014	Maryland Audi Dealers - Audi US 2014 Dealer Financial Statement					
30.	12/31/2014	Audi 2014 Performance Bonus Program	AoA0002049, 2053, 2056, 2060				
31.	1/5/2015	Balmer email to B. Stoler re 2015 BPO	STOLER000287-88				
32.	1/13/2015	Audi Exclusive Facility Construction Agreement					
33.	1/13/2015	Ritsema email to McRory re Len Stoler LOI Jan 13 2015.docx	AoA0000828				
34.	1/13/2015	Ritsema email to McRory re Len Stoler LOI Jan 13 2015.docx	AoA0002214-18				
35.	1/16/2015	Rospond email to Brown re Stoler Audi	AoA0000861-64				
36.	1/20/2015	Thacker email to Balmer re Stoler Audi	AoA0000867-70				
37.	1/21/2015	Thacker email to Brown et al. re 10550 Reisterstown Road - Stoler Audi	STOLER000683-86				
38.	1/27/2015	2015 BPO Calendar 409A08 - Len Stoler Audi	AoA0000905, 904				

Pl. Ex.#	Date	Description	Bates Number	STIP.	OFFERED	OBJECT.	ADMITTED
39.	2/2/2015	Hamilton email to Balmer re Let's put March 4th out there for Meeting in Baltimore	AoA0000909-10				
40.	2/3/2015	Hobbs email to Thacker re Len Stoler	AoA0000912-13				
41.	2/24/2015	Harritt email to Leibowitz et al re Audi Owings Mill - Design Site Survey	STOLER001318-19				
42.	3/6/2015	Matthews email Balmer re Action Required Today!	AoA0000959-66				
43.	3/26/2015	Thacker email to Hobbs et al. re Len Stoler Showroom	AoA0001151-52				
44.	4/2015	AoA Pricing Elasticity	AoA0001714-17				
45.	4/7/2015	Thacker email to Balmer re Len Stoler Showroom	AoA0001177-85				
46.	4/15/2015	Brown email to Eglitis et al. re Audi Owings Mills - 10550 Reisterstown Road - topo	STOLER001219-23				
47.	4/30/2015	Facility Agreement Exception Request: Audi Frederick	AoA0000199-202				
48.	5/19/2015	L. Stoler letter to S. Martini	AoA0001478-79				
49.	8/8/2015	Audi Strategy Office - Dealer Performance Scorecard - July 2015 (Len Stoler Audi)	AoA0001467-71				
50.	8/26/2015	Brown email to Harritt re Stoler Audi	STOLER000675-76				
51.	09/2015	Audi Retail Capacity Guide	AoA0000214-39				
52.	9/10/2015	Thacker email to Hamilton et al. re Audi Owings Mills - DCD Drawings	AoA0001295-1311				
53.	9/14/2015	Audi Notice of Breach letter to L. Stoler					

Pl. Ex.#	Date	Description	Bates Number	STIP.	OFFERED	OBJECT.	ADMITTED
54.	9/22/2015	Audi Frederick Construction Extension	AoA0000250				
55.	9/24/2015	Hamilton letter to L. Stoler re Notice of Breach - Audi Dealer Agreement	AoA0000422-30				
56.	10/2/2015	Leibowitz email to B Stoler re Porsche Audi Numbers	STOLER002401				
57.	10/8/2015	dleibowitz@lenstoler.com email to David Leibowitz re Sent from CM2320fxi MFP	STOLER000660-64				
58.	10/16/2015	McRory letter to Ritsema re Len Stoler Audi	AoA0001480				
59.	10/19/2015	Ritsema email to Bamler et al re Len Stoler Audi - Ltr to Ritsema 10-16-15	AoA0001330-32				
60.	10/19/2015	Meyer email to Galata re Len Stoler Audi - Ltr to Ritsema 10-16-15	AoA0001333-36				
61.	10/22/2015	Leibowitz email to Morris re December 2012 Financials	STOLER002315-64				
62.	10/22/2015	Leibowitz email to Morris attaching several documents	STOLER002209-63				
63.	10/28/2015	Comfort email to Balmer re Scorecard Q3 2015 Failure Communication - Len Stoler Audi 409A08	AoA0001348-62				
64.	11/4/2015	Thacker letter to B. Stoler re Audi Owings Mills Construction Delays	AoA0000242-49				
65.	11/13/2015	Audi Frederick Construction Extension	AoA0000404-09				
66.	11/13/2015	Thacker email to Meyer et al re Len Stoler Audi (409A08)	AoA0001396-1403				

Pl. Ex.#	Date	Description	Bates Number	STIP.	OFFERED	OBJECT.	ADMITTED
67.	11/30/2015	Thacker email to Meyer et al re Information of Len Stoler Audi	AoA0001457-1505				
68.	11/30/2015	Meyer email to Thacker et al re Information of Len Stoler Audi	AoA0001506-09				
69.	11/30/2015	Hamilton email to Balmer re FW: Information on Len Stoler Audi	AoA0001519-6				
70.	12/1/2015	Meyer Memo to Dealer File re In-Person Meeting held on December 1, 2015 in Herndon, VA	AoA0000269-70				
71.	12/2/2015	Leibowitz email to Cohen re Service and Parts - Audi	STOLER001157-62				
72.	12/10/2015	Len Stoler Porsche/Audi 2015 Ford Motor Company Dealer Financial Statement	STOLER002714-21				
73.	12/11/2015	Meyer email to O'Neill re Len Stoler Audi Complaint	AoA0001657-60				
74.	12/18/2015	Meyer memo to Dealer Principals and General Managers re Audi Business Fundamentals Assessment - 2016	AoA0000393-97				
75.	12/31/2015	Len Stoler Audi - Audi US 2015 Dealer Financial Statement					
76.	12/31/2015	Maryland Audi Dealers - Audi US 2015 Dealer Financial Statement					
77.	12/31/2015	Audi 2015 Performance Bonus Program	AoA0002062, 2066 2069, 2073				
78.	1/1/2016	2016 BPO Calendar 409A08 - Len Stoler Audi	AoA0001678				

Pl. Ex.#	Date	Description	Bates Number	STIP.	OFFERED	OBJECT.	ADMITTED
79.	1/6/2016	Leibowitz email to B. Stoler re Please Read...Cut and Paste to Marc Cohen	STOLER001670				
80.	1/20/2016	Hamilton letter to L. Stoler & B. Stoler re 2018 Facility Classification Requirement	AoA0000398				
81.	2/12/2016	McBrearty email to Balmer re 409A08 2016 Dealer BPO Summary.pdf	AoA0001669-73				
82.	3/4/2016	Airhart email to Meyer re Len Stoler Approval Letter	AoA0001684-87				
83.	3/22/2016	Amended Complaint					
84.	4/30/2016	Maryland Audi Dealers US 2016 Dealer Financial Statement	AoA0002077-79				
85.	2008-2016	Exhibit 1 - Bonus Status by Maryland Dealer 2008 Q1 - 2016 Q1					
86.	1/2011- 5/2/2016	Maryland Dlr Mo Standards Pmts					
87.	6/30/2016	Audi 2016 Performance Bonus Program	AoA0002077, 2079				
88.	7/18/2016	Expert Report of Joseph F. Roesner					
89.	7/18/2016	Expert Reports of Todd Berko					
90.	9/5/2016	Supplemental Expert Report of Todd Berko					
91.	9/00/2016	Supplemental Expert Report of Joseph F. Roesner					
92.	12/31/2016	AoA Performance Bonus Program 2014-2016 and RB Back End Bonus Program	AoA0000154				

Dated: March 20, 2017

ARENT FOX LLP

By: /s/ Barbara S. Wahl
Barbara S. Wahl

1717 K Street, N.W.
Washington, DC 20006
Barbara.wahl@arentfox.com

Russell P. McRory, Esq. (*pro hac vice*)
Michael P. McMahan, Esq. (*pro hac vice*)
Arent Fox LLP
1675 Broadway
New York, NY 10019

Counsel for Plaintiff Len Stoler, Inc.
d/b/a Len Stoler Audi

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of March, I will electronically file the foregoing Amended Trial Exhibit List with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the following:

Richard Mark Dare
Isler Dare PC
1945 Old Gallows Road, Suite 650
Tysons Corner
Vienna, Virginia 22182

and

James R. Vogler (admitted *pro hac vice*)
Daniel R. Fine (admitted *pro hac vice*)
Jack O. Snyder, Jr. (admitted *pro hac vice*)
Emily L. Gesmundo (admitted *pro hac vice*)
Barack Ferrazzano Kirschbaum & Nagelberg LLP
200 West Madison Street, Suite 3900
Chicago, IL 60606

*Attorneys for Defendant Volkswagen Group of America, Inc.
d/b/a Audi of America, Inc.*

/s/ Barbara S. Wahl
Barbara S. Wahl